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17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

19 CALIFORNIA COALITION FOR WOMEN
PRISONERS; et al.,

20 Plaintiffs,

21
22 v.

23 UNITED STATES OF AMERICA; UNITED
24 STATES OF AMERICA FEDERAL BUREAU OF
PRISONS, et al.,

25 Defendants.
26
27
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Case No. 4:23-cv-04155

**DECLARATION OF MOLLY
GREENE IN SUPPORT OF
MOTION TO INTERVENE FOR
LIMITED PURPOSE OF
UNSEALING COURT RECORDS
AND PROTECTING ACCESS TO
PUBLIC PROCEEDINGS**

Judge: Yvonne Gonzalez Rogers

Date: July 16, 2024

Time: 2:00 p.m.

Courtroom: 1 (Fourth Floor)

DECLARATION OF MOLLY GREENE

I, Molly Greene, declare under penalty of perjury as prescribed in 28 U.S.C. § 1746 that the following is true and correct:

1. I am Legal and Strategy Director for The Appeal, Inc., a nonprofit news organization founded in 2018.

2. The Appeal works to expose the harms of the American criminal legal system and elevates the solutions that emerge from the communities most affected by policing, jails, and prisons in the U.S. The Appeal helps shape the national narrative about justice and punishment through fact-based reporting and analysis that centers the voices of the people directly impacted by the issues it covers and educates the public on how the criminal legal system works.

3. The Appeal has a special focus on communities and policy debates often ignored by traditional national media, or increasingly lost in the consolidation and closure of local news outlets. This special focus includes concerns for incarcerated and otherwise system-involved women, whose needs and experiences are under-reported and under-discussed. See, e.g., Danielle Bernstein, “Why Women’s Wrongful Convictions Are so Difficult to Overcome,” The Appeal (Aug. 14, 2023), <https://theappeal.org/womens-wrongful-convictions-no-crime-sexual-stereotypes/>; Molly Hagan, “New York’s Imprisoned Women Brave Risks to Sue Sexual Abusers Under New York Law,” The Appeal (Apr. 28, 2023), <https://theappeal.org/new-york-adult-survivors-act-women-prisons/>; Elizabeth Weill-Greenberg, “Virginia Women’s Prisons Force People to Remove Pads, Tampons During Strip Searches,” The Appeal (Nov. 3, 2022), <https://theappeal.org/virginia-prisons-tampons-strip-searches/>; Elizabeth Weill-Greenberg, “Pregnant Women Allege Abuse in Texas Jails,” The Appeal (May 28, 2021), <https://theappeal.org/pregnant-women-allege-abuse-in-texas-jails-pretrial-detention-legislation/>.

4. The Appeal’s work is widely acclaimed. The Appeal won the 2022 Institute for Nonprofit News’ Award for Best Investigative Journalism for a feature on the New York Police Department’s failures toward sex crime victims. See Meg O’Connor, “How the NYPD’s Troubled Sex Crimes Unit is Set Up to Fail Victims,” The Appeal (Dec. 15, 2021), <https://theappeal.org/nypd-special-victims-division-failing-victims/>. The Appeal won the 2023 LION (Local Independent Online News) Community Engagement Award for our work amplifying the voices of incarcerated journalists and

1 writers. The Appeal won the 2023 Institute for Nonprofit News' Award for Breaking Barriers for an
 2 incarcerated journalist's article on how a Washington prison delayed the delivery of critical court
 3 documents for months, leading to the premature dismissal of at least two appeals filed by incarcerated
 4 men. See Christopher Blackwell, "Washington Prison Mishandled Court Mail, Impeded Access to
 5 Justice," The Appeal (Feb. 15, 2023), <https://theappeal.org/washington-prisons-appeals-court-e-filing>.
 6 The Appeal was a finalist for the 2023 Online Journalism Awards' Features (Small Newsroom) award
 7 and a finalist for the 2022 Online Journalism Awards' Excellence in Social Justice Reporting award.

8 5. Most importantly, The Appeal's reporting has helped create change within the criminal legal
 9 system, including for women. Our reporting helped spur a U.S. Department of Justice investigation into
 10 the New York Police Department's Special Victims Division, contributed to federal investigators
 11 visiting a women's prison in Florida as part of a review of sexual misconduct at Bureau of Prisons
 12 facilities, and improved food conditions in a Virginia women's prison. And those are just a few
 13 examples of many.

14 6. The Appeal has published original reporting about the experiences of women incarcerated at
 15 the Federal Correctional Institution, Dublin (FCI Dublin). See Victoria Law, "These Survivors Rooted
 16 out Sexual Abuse in Federal Prison. Now They Face Deportation," The Appeal (June 3, 2023),
 17 <https://theappeal.org/fci-dublin-u-visas-sexual-abuse-deportation/>.


18 7. The Appeal regularly relies on access to public documents, including court records, in its
 19 reporting. We have a demonstrated commitment to protecting freedom of the press and demanding
 20 government transparency. For example, earlier this year, The Appeal filed a lawsuit challenging the
 21 arbitrary restrictions that Georgia places on media witnesses during executions in court. See Compl.,
 22 The Appeal, Inc. v. Tyrone Oliver, No. 24CV003010 (Ga. Super. Ct. March. 8, 2024). Represented by
 23 the ACLU of Georgia, we argue that the state's practices deny the media and general public information
 24 that they need to be accurately informed about executions carried out by the State in violation of the
 25 Georgia Constitution. The Appeal has also filed a pending federal Freedom of Information Act lawsuit
 26 seeking access to in-custody death reports submitted by state and local correctional and law enforcement
 27 agencies under the federal Deaths in Custody Reporting Act. See Compl., The Appeal, Inc. v. U.S. Dep't
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1 of Just. Off. of Just. Programs, No. 5:22-cv-02111 (C.D. Cal. Nov. 28, 2022), ECF No. 1. If successful,
2 our suit would provide transparency regarding more than 60,000 in-custody deaths since 2000.

3 8. I believe that accessing the information contained in the sealed documents will further
4 journalists' efforts to cover FCI Dublin and its closure. Coverage of this case is crucial to ensure public
5 understanding of, and public accountability for, treatment of women previously incarcerated at FCI
6 Dublin. As Justice Brandeis said, "Sunlight is said to be the best of disinfectants."

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed on June 3, 2024, in Landers, California.

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12 Molly Greene, Legal and Strategy Director
13 The Appeal, Inc.
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